



ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area

LEGISLATION SUMMARY 2016 State Legislative Session Legislation & Governmental Organization Committee July 21, 2016

New: *Bills to be reviewed are listed in alpha and numeric order*

AB 2444 (Eduardo Garcia D) California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016. (Amended: 6/23/2016)

Status: 6/29/2016-Senate Appropriations

Summary: Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities. This bill would enact the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,120,000,000 pursuant to the State General Obligation Bond Law to finance a parks, water, climate, and coastal protection and outdoor access for all program. This bill contains other related provisions.

Staff Recommendation: Support **League:** Support **CSAC:** Watch **L&GO Position:**

AB 1550 (Jimmy Gomez D) Greenhouse gases: investment plan: disadvantaged communities. (Amended: 5/31/2016)

Status: 6/29/2016-Senate Appropriations

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law requires the investment plan to allocate a minimum of 25% of the available moneys in the fund to projects that provide benefits to disadvantaged communities, as defined, and a minimum of 10% to projects located in disadvantaged communities. Existing law authorizes the allocation of 10% for projects located in disadvantaged communities to be used for projects included in the minimum allocation of 25% for projects that provide benefits to disadvantaged communities. This bill would instead require the investment plan to allocate a minimum of 25% of the available moneys in the fund to projects located within, and benefitting individuals living in, disadvantaged communities and a minimum of 20% to projects that benefit low-income households, as specified, with a fair share of those moneys targeting households with incomes at or below 200% of the federal poverty level.

Staff Recommendation: Watch **League:** Watch **CSAC:** Pending **L&GO Position:**
BAAQMD: Oppose Unless Amended **MTC:** Oppose Unless Amended

Proposition 53, Ballot Measure by Dean Cortopassi, California Statewide Vote on Bond Initiative

Status: November 2016 Ballot Proposition

Summary: Requires that legislatively approved projects be presented on statewide ballot for voter approval. Applies to previously approved projects if remaining bond amount exceeds \$2 billion. Requires State Legislature approve use of revenue bonds for public infrastructure projects funded, owned, or operated by the state or any joint agency (JPA) that includes the state, if the bond amount exceeds \$2 billion and repayment requires new, increased, or extended taxes, fees, or other charges.

Staff Recommendation: Oppose **League:** **CSAC:** **MTC:** **L&GO Position:**

Support / Support if Amended: Bills to be reviewed are listed in alpha and numeric order

Gov. 707 (Governor Jerry Brown) Governor's Trailer Bill.

(Presented 5/1/2016) (Amended 6/10/2016) **Status:** Senate negotiations. Lead negotiator is Senator Mark Leno.

Summary: The Governor's proposal would allow new market-rate projects with onsite affordable housing to be approved "as of right." Under the proposal, new projects with 20 percent affordable housing for tenants making no more than 80 percent of the area median income or projects with 10 percent affordable housing near transit would be exempt from most local reviews. Within 30 days of receiving an application, the city must either approve a housing development or explain why it is inconsistent with objective general plan and zoning standards.

Staff Recommendation: Watch and Seek Amendments **League:** Oppose **CSAC:** No Position

L&GO Position: Watch and Seek Amendments

AB 18 (Bill Dodd D) Disaster Relief: South Napa Earthquake.

Introduced: 12/1/2014 **Status:** 8/27/2015- Held under submission in Senate Appropriations Committee.

Summary: The California Disaster Assistance Act generally provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs. This bill would add the August 24, 2014, South Napa Earthquake, to the list of events for which the state share of state eligible cost is up to 100% and exempt the county from a specified planning requirement as a condition of receiving this level of assistance.

Staff Recommendation: Support **League:** Watch **CSAC:** Support **L&GO Position:** Support

AB 2406 (Tony Thurmond D) Housing: Junior Accessory Dwelling Units.

(Amended: 6/8/2016) **Status:** 6/16/2016-Senate third reading.

Summary: The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential areas, as prescribed. This bill would, in addition, authorize a local agency to provide by ordinance for the creation of junior accessory dwelling units, as defined, in single-family residential zones. The bill would require the ordinance to include, among other things, standards for the creation of a junior accessory dwelling unit, required deed restrictions, and occupancy requirements. The bill would prohibit an ordinance from requiring, as a condition of granting a permit, water and sewer connection fees or additional parking requirements.

Staff Recommendation: Support **League:** Support **CSAC:** Support **L&GO Position:** Support

AB 2441 (Tony Thurmond) Housing: Workforce Housing in High-Cost Areas Pilot Program.

(Amended: 6/30/2016) **Status:** 6/30/2016-Senate Appropriations.

Summary: Existing law, among several affordable housing programs, establishes the Local Housing Trust Fund Matching Grant Program, administered by the Department of Housing and Community Development, for the purpose of supporting local housing trust funds dedicated to the creation or preservation of affordable housing. Existing law authorizes the department to make matching grants available to cities and counties, or a city and county, and existing charitable nonprofit organizations that have created, funded, and operated housing trust funds. This bill would create the Workforce Housing Pilot Program, pursuant to which the department, subject to the appropriation of funds for that purpose, would award grant funding to eligible recipients, as defined, for the predevelopment costs, acquisition, construction, or rehabilitation of rental housing projects or units within rental housing projects that serve, and for providing downpayment assistance to, persons and families of low or moderate income. The bill would require all grant funds to be matched on a dollar-for-dollar basis, unless the eligible recipient is suffering a hardship and is unable to generate the matching funds. The bill would require the Department of Finance to determine whether an eligible recipient is suffering a hardship. The bill would require the Department of Housing and Community Development, on or before December 31 of each year in which grant funds are awarded, to provide a report to the Legislature regarding the number of grants awarded, a description of the projects funded, the number of units funded, and the amount of matching funds received. The bill would require the pilot program to operate until all appropriated funds have been awarded. The bill, upon the depletion of appropriated funds, would require the department to submit a report to the Assembly and Senate committees on appropriations evaluating the need for housing of persons and families of low or moderate income in areas that received grant funds and a recommendation on whether the pilot program should continue.

Staff Recommendation: Support **League:** Support **CSAC:** Pending **L&GO Position:** Support

AB 2817 (David Chiu D) Income Taxes: Credits: Low-Income Housing: Allocation Increase.

Status: 6/29/2016-Senate Appropriations

Summary: Existing law establishes a low-income housing tax credit program pursuant to which the California Tax Credit Allocation Committee provides procedures and requirements for the allocation of state insurance, personal income, and corporation income tax credit amounts among low-income housing projects based on federal law. Existing law, in modified conformity to federal income tax law, allows the credit based upon the applicable percentage, as defined, of the qualified basis of each qualified low-income building. Existing law limits the total annual amount of the credit that the committee may allocate to \$70 million per year and allows \$500,000 per year of that amount to be allocated for projects to provide farmworker housing, as specified. This bill, for calendar years beginning 2017, would increase the aggregate housing credit dollar amount that may be allocated among low-income housing projects by \$300,000,000, as specified. The bill would also increase the amount the committee may allocate to farmworker housing projects from \$500,000 to \$25,000,000 per year. The bill, under the insurance taxation law, the Personal Income Tax Law, and the Corporation Tax Law, would modify the definition of applicable percentage relating to qualified low-income buildings.

Staff Recommendation: Support **League:** Support **CSAC:** Support **L&GO Position:** Support

SB 438 (Jerry Hill D) Earthquake Safety: Statewide Earthquake Early Warning System: Funding.

(Amended: 6/30/2016) **Status:** 6/30/2016-Senate Appropriations

Summary: The California Emergency Services Act requires the Office of Emergency Services, among other things, to develop in collaboration with specified entities a comprehensive statewide earthquake early warning system in California through a public-private partnership, as specified. Existing law requires the office to identify funding for the system through single or multiple sources of revenue, and requires those sources to exclude the General Fund and to be limited to federal funds, funds from revenue bonds, local funds, and funds from private sources. Under the act, the requirement that the office develop the system is not operative until funding is identified, and is repealed if funding is not identified by July 1, 2016. The act establishes the California Earthquake Safety Fund in the State Treasury to be used, upon appropriation by the Legislature, for seismic safety and earthquake-related programs, including the statewide earthquake early warning system. This bill would discontinue the requirement that the funding sources for the system exclude the General Fund and be limited to federal funds, funds from revenue bonds, local funds, and funds from private sources. The bill would delete the provisions providing for the repeal and the contingent operation of the requirement that the office develop the system.

Staff Recommendation: Support **League:** Watch **CSAC:** Watch **L&GO Position:** Watch

SB 873 (Jim Beall D) Income taxes: Insurance Taxes: Credits: Low-income Housing: Sale of Credit.

(Amended: 6/27/2016) **Status:** 6/27/2016-Assembly Appropriations

Summary: Existing law establishes a low-income housing tax credit program pursuant to which the California Tax Credit Allocation Committee provides procedures and requirements for the allocation of state insurance, income, and corporation tax credit amounts among low-income housing projects based on federal law. This bill, beginning on or after January 1, 2016, would allow a taxpayer that is allowed a low-income housing tax credit to elect to sell all or a portion of that credit to one or more unrelated parties, as described, for each taxable year in which the credit is allowed for not less than 80% of the amount of the credit to be sold, and would provide for the one-time resale of that credit, as provided. The bill would require the California Tax Credit Allocation Committee to enter into an agreement with the Franchise Tax Board to pay any costs incurred by the Franchise Tax Board in administering these provisions.

Staff Recommendation: Watch **League:** Support **CSAC:** Watch **L&GO Position:** Watch

SB 879 (Jim Beall D) Affordable Housing: Bond Act

(Amended: 6/16/2016) **Status:** 6/29/2016- Assembly Appropriations Suspense File

Summary: Under existing law, there are programs providing assistance for, among other things, emergency housing, multifamily housing, farmworker housing, home ownership for very low and low-income households, and downpayment assistance for first-time home buyers. Existing law also authorizes the issuance of bonds in specified amounts pursuant to the State General Obligation Bond Law and requires that proceeds from the sale of these bonds be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. This bill would enact the Affordable Housing Bond Act of 2016, which, if adopted, would authorize the issuance of bonds in the amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to finance various existing housing programs, as well as infill infrastructure financing and affordable housing matching grant programs, as provided.

Staff Recommendation: Support **League:** Support **CSAC:** Pending **L&GO Position:** Support

SB 1030 (Mike McGuire D) Sonoma County Regional Climate Protection Authority. (Introduced: 2/12/2016)

Status: 6/30/2016-Assembly third reading.

Summary: Existing law, until December 1, 2019, creates the Sonoma County Regional Climate Protection Authority. Existing law provides for the authority to be governed by the same board as that governing the Sonoma County Transportation Authority and imposes certain duties on the authority. Existing law authorizes the authority to perform coordination and implementation activities within the boundaries of the County of Sonoma, in cooperation with local agencies, as defined, that elect to participate, to assist those agencies in meeting their greenhouse gas emissions reduction goals. Existing law authorizes the authority to develop, coordinate, and implement programs and policies to comply with the California Global Warming Solutions Act of 2006 and other federal or state mandates and programs designed to respond to greenhouse gas emissions and climate change. This bill would extend these provisions indefinitely. By extending the duties of the Sonoma County Regional Climate Protection Authority, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Staff Recommendation: Support **League:** Watch **CSAC:** Watch **L&GO Position:** Support

SB 1233 (Mike McGuire D) Joint Powers Authorities: Water Bill Savings Act.

(Amended: 6/20/2016)

Status: 6/29/2016-Assembly Local Government Committee Vote - Do pass as amended.

Summary: Existing law, the Marks-Roos Local Bond Pooling Act of 1985, authorizes joint powers authorities, among other powers, to issue bonds and loan the proceeds to local agencies to finance specified types of projects and programs. This bill would enact the Water Bill Savings Act, which would authorize a joint powers authority to provide funding for a customer of a local agency or its publicly owned utility to acquire, install, or repair a water efficiency improvement on the customer's property served by the local agency or its publicly owned utility. The bill would require the customer to repay the authority through an efficiency charge on the customer's water bill to be established and collected by the local agency or its publicly owned utility on behalf of the authority pursuant to a servicing agreement. The bill would authorize the authority to issue bonds to fund the program. The bill would also make technical changes.

Staff Recommendation: Support **League:** Watch **CSAC:** Pending **L&GO Position:** Support

SBX1 1 (Jim Beall D, San Jose) Transportation Financing for Road Maintenance (Amended: 4/21/2016)

Status: 4/21/2016- Senate Appropriations

Summary: Existing law provides various sources of funding for transportation purposes, including funding for the state highway system and the local street and road system. These funding sources include, among others, fuel excise taxes, commercial vehicle weight fees, local transactions and use taxes, and federal funds. Existing law imposes certain registration fees on vehicles, with revenues from these fees deposited in the Motor Vehicle Account and used to fund the Department of Motor Vehicles and the Department of the California Highway Patrol. Existing law provides for the monthly transfer of excess balances in the Motor Vehicle Account to the State Highway Account. This bill would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system and for other specified purposes. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund, including revenues attributable to a \$0.12 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill and \$0.10 of a \$0.22 per gallon increase in the diesel fuel excise tax imposed by the bill, an increase of \$35 in the annual vehicle registration fee, a new \$100 annual vehicle registration fee applicable to zero-emission motor vehicles, as defined, a new annual road access charge on each vehicle, as defined, of \$35, and repayment, by June 30, 2016, of outstanding loans made in previous years from certain transportation funds to the General Fund. The bill would provide that revenues from future adjustments in the applicable portion of the fuel tax rates, the annual vehicle registration fee increase, and the road access charge would also be deposited in the account. This bill contains other related provisions and other existing laws.

Staff Recommendation: Support **League:** Support **CSAC:** Support **L&GO Position:** Support
MTC: Support

Watch: Bills to be reviewed are listed in numeric order with Assembly bills listed first

AB 1934 (Miguel Santiago D) Planning and Zoning: Density Bonuses.

(Amended: 6/14/2016) **Status:** 6/30/2016-Senate Appropriations

Summary: The Planning and Zoning Law requires, when an applicant proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with a density bonus and other incentives or concessions for the production of lower income housing units or for the donation of land within the development if the developer, among other things, agrees to construct a specified percentage of units for very low, low-, or moderate-income households or qualifying residents. This bill, when an applicant for approval for commercial development agrees to partner with an affordable housing developer to construct a joint project or 2 separate projects encompassing affordable housing, would require a city, county, or city and county to grant to the commercial developer a development bonus, as specified. The bill would define the development bonus to mean incentives mutually agreed upon by the developer and the jurisdiction that may include but are not limited to, specified variances. By increasing the duties of local officials relating to the administration of development bonuses, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Staff Recommendation: Watch **League:** Oppose **CSAC:** Concerns **L&GO Position:**

AB 2031 (Susan Bonta D) Local Government: Affordable Housing: Financing. (Introduced: 3/17/2016)

Status: 6/29/2016-Senate Government and Finance. Do pass as amended.

Summary: Existing law requires, from February 1, 2012, to July 1, 2012, inclusive, and for each fiscal year thereafter, the county auditor-controller in each county to allocate property tax revenues in the county's Redevelopment Property Tax Trust Fund, established to receive revenues equivalent to those that would have been allocated to former redevelopment agencies had those agencies not been dissolved, towards the payment of enforceable obligations and among entities that include, among others, a city and the county or the city and county. This bill would authorize a city or county that formed a redevelopment agency and became the successor agency that received a finding of completion from the Department of Finance to reject its allocations of property tax revenues from the trust fund. The bill would direct those rejected property tax revenues to an affordable housing special beneficiary district, established as a temporary and distinct local governmental entity for the purposes of receiving a rejected distribution of property tax proceeds and promoting affordable housing by providing financing assistance within its boundaries. The bill would require a beneficiary district to be governed by a 5-member board and comply with specified open meeting and public record laws. The bill would require a beneficiary district to cease to exist on the 90th calendar day after the date the county auditor-controller makes the final transfer of the distribution of property tax revenues to the beneficiary district, and prohibit a beneficiary district from undertaking any obligation that requires its action past that date. The bill would transfer any funds and public records of a beneficiary district remaining after the date the beneficiary district ceases to exist to the city or county that rejected the of property tax revenues thereafter directed to that district, as specified.

Staff Recommendation: Watch **League:** Watch **CSAC:** Watch **L&GO Position:**

AB 2208 (Miguel Santiago D) Local Planning: Housing Element: Inventory of Land for Residential Development.

(Amended: 6/23/2016)

Status: 6/23/2016-Read second time and amended. Re-referred to Com. on Appropriations

Summary: Existing law, the Planning and Zoning Law, requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or the county and of any land outside its boundaries that bears relation to its planning. That law requires the general plan to contain specified mandatory elements, including a housing element. Existing law requires the housing element to contain an inventory of land suitable for residential development, as defined, and requires that inventory to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels. This bill would revise the definition of land suitable for residential development to include above sites owned or leased by a city, county, or city and county. By imposing new duties upon local agencies with respect to the housing element of the general plan, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Staff Recommendation: Watch **League:** Watch **CSAC:** Watch **L&GO Position:**

AB 2299 (Richard Bloom D) Land Use: Housing: 2nd Units. (Amended: 4/5/2016)

Status: 6/29/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (June 29). Re-referred to Com. on Appropriations

Status: 6/9/2016-Senate Transportation and Housing

Summary: The Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential zones, as specified. This bill would, instead, require a local agency to provide by ordinance for the creation of 2nd units in these zones. The bill would also specify that a local agency may reduce or eliminate parking requirements for any 2nd unit located within its jurisdiction. This bill contains other related provisions and other existing laws.

Staff Recommendation: Watch

League: Oppose

CSAC: Oppose

L&GO Position:

AB 2442 (Chris Holden D) Density Bonuses. (Amended: 4/14/2016)

Status: 6/22/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 21). Re-referred to Com. on Appropriations

Summary: The Planning and Zoning Law requires, when an applicant proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with a density bonus and other incentives or concessions for the production of lower income housing units or for the donation of land within the development if the developer, among other things, agrees to construct a specified percentage of units for very low, low-, or moderate-income households or qualifying residents. This bill would additionally require a density bonus to be provided to a developer that agrees to construct a housing development that includes at least 10% of the total units for transitional foster youth, disabled veterans, or homeless persons, as defined. The bill would require that these units be subject to a recorded affordability restriction of 55 years and be provided at the same affordability level as very low income units. The bill would set the density bonus at 20% of the number of these units. By increasing the duties of local agencies, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Staff Recommendation: Watch

League: Concerns

CSAC: Watch

L&GO Position:

AB 2584 (Tom Daly D) Land Use: Housing Development. (Amended: 6/27/2016)

Status: 6/27/2016-Read second time and amended. Ordered to third reading.

Summary: The Housing Accountability Act, among other things, prohibits a local agency from disapproving a housing development project for very low, low-, or moderate-income households or an emergency shelter or conditioning approval in a manner that renders the project infeasible unless the local agency makes specified written findings. The act authorizes an applicant or person who would be eligible to apply for residency in the development or emergency shelter to bring an action to enforce the act. This bill would, in addition, authorize a housing organization, as defined, to bring an action challenging the disapproval of a housing development pursuant to these provisions.

Staff Recommendation: Watch

League: Oppose

CSAC: Watch

L&GO Position:

SB 7 (Lois Wolk D, Contra Costa County) Housing: Water Meters: Multiunit Structures

Status: 1/1/2016-Set for Hearing.

Location: 1/1/2016-Assembly Unfinished Business

Summary: Existing law generally regulates the hiring of dwelling units and, among other things, imposes certain requirements on landlords and tenants. Among these requirements, existing law requires landlords to provide tenants with certain notices or disclosures pertaining to, among other things, pest control and gas meters. This bill would express the intent of the Legislature to encourage the conservation of water in multifamily residential rental buildings through means either within the landlord's or the tenant's control, and to ensure that the practices involving the submetering of dwelling units for water service are just and reasonable, and include appropriate safeguards for both tenants and landlords.

Staff Recommendation: Watch

League: Watch

CSAC: Watch

L&GO Position: Watch

SB 1000 (Connie Leyva D) Land Use: General Plans: Environmental Justice.

Amended: 6/20/2016) **Status:** 6/30/2016-Assembly Appropriations

Summary: The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries that bears relation to its planning. That law requires this general plan to include several elements, including, among others, land use, open-space, safety, and conservation elements, which are required to meet specified requirements. This bill would add to the required elements of the general plan an environmental justice element, or related goals, policies, and objectives integrated in other elements, that identifies disadvantaged communities, as defined, within the area covered by the general plan of the city, county, or city and county, if the city, county, or city and county has a disadvantaged community. The bill would also require the environmental justice element, or related environmental justice goals, policies, and objectives integrated in other elements, to identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities, as specified, identify objectives and policies to promote civil engagement in the public decisionmaking process, and identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities. The bill would require the environmental justice element, or the environment justice goals, policies, and objectives in other elements, to be adopted or reviewed upon the adoption or next revision of two or more elements on or after January 1, 2018. The bill would authorize a city, county, or city and county that has adopted an environmental justice element, or environmental justice goals, policies, and objection in other elements in its general plan or related documents that substantially complies with the above described requirements to use that information to comply with these requirements By adding to the duties of county and city officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Staff Recommendation: Watch **League:** Oppose **CSAC:** Support if Amended **L&GO Position:**

SB 1069 (Bob Wieckowski D) Land Use: Zoning.

(Amended: 6/16/2016) **Status:** 6/30/2016-Assembly Appropriations

Summary: The Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential zones, as specified. That law makes findings and declarations with respect to the value of 2nd units to California's housing supply. This bill would replace the term "second unit" with "accessory dwelling unit" throughout the law. The bill would additionally find and declare that, among other things, allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock and these units are an essential component of housing supply in California.

Staff Recommendation: Watch **League:** Oppose **CSAC:** Oppose **L&GO Position:**

Dead /Gut and Amend: *Bills to be reviewed are listed in numeric order with Assembly bills listed first, followed by Senate bills*

AB 45 (Kevin Mullin D, San Mateo County) Household Hazardous Waste Amended: 1/21/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was E.Q. on 6/29/2016)

Summary: The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, requires, among other things, each city and each county to prepare a household hazardous waste element containing specified components, and to submit that element to the department for approval. Existing law requires the department to approve the element if the local agency demonstrates that it will comply with specified requirements. A city or county is required to submit an annual report to the department summarizing its progress in reducing solid waste, including an update of the jurisdiction's household hazardous waste element. This bill would require the department to adopt one or more model ordinances for a comprehensive program for the collection of household hazardous waste and would authorize a local jurisdiction that provides for the residential collection and disposal of solid waste that proposes to enact an ordinance governing the collection and diversion of household hazardous waste to adopt one of the model ordinances adopted by the department. The bill would require the department to determine whether a nonprofit organization has been created and funded to make grants to local jurisdictions for specified purposes relating to household hazardous waste disposal and would specify that if the department does not determine that such a nonprofit organization exists by December 31, 2018, then the bill's provisions would be repealed on January 1, 2019.

Staff Recommendation: Watch **League:** Oppose **CSAC:** Oppose **L&GO Position:** Watch

AB 1500 (Brian Maienschein R) Planning and zoning: Housing Element: Supportive Housing and Transitional Housing. Status: Gut and Amended 6/21. Now State highways: relinquishment: Route 75.

AB 1591 (Jim Frazier D) Transportation Funding

Status: 2/1/2016-Referred to Committee and Transportation and Revenue and Taxation

6/3/2016 Did not pass out of house of origin before Deadline

Summary: Existing law provides various sources of funding for transportation purposes, including funding for the state highway system and the local street and road system. These funding sources include, among others, fuel excise taxes, commercial vehicle weight fees, local transactions and use taxes, and federal funds. Existing law imposes certain registration fees on vehicles, with revenues from these fees deposited in the Motor Vehicle Account and used to fund the Department of Motor Vehicles and the Department of the California Highway Patrol. Existing law provides for the monthly transfer of excess balances in the Motor Vehicle Account to the State Highway Account. This bill would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street system. The bill would require the California Transportation Commission to adopt performance criteria to ensure efficient use of the funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund, including revenues attributable to a \$0.225 per gallon increase in the motor vehicle fuel tax imposed by the bill, including an inflation adjustment as provided, an increase of \$38 in the annual vehicle registration fee, and a new \$165 annual vehicle registration fee applicable to zero-emission motor vehicles, as defined.

Staff Recommendation: Watch **League:** Support in Concept **CSAC:** Support **L&GO Position:**

AB 1915 (Miguel Santiago D) Homelessness: Affordable Housing. (Introduced: 2/11/2016)

Status: Gut and Amended 3/18. Now Alcohol and drug programs: facility expansion.

AB 2050 (Marc Steinorth R) Redevelopment.

Status: Gut and Amended 3/18. Now Healthcare Coverage Prescription Drugs.

AB 2783 (Eduardo Garcia D) Affordable Housing and Sustainable Communities Program.

(Amended: 6/23/2016) Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13).

Summary: Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law continuously appropriates 20% of the annual proceeds of the fund to the Affordable Housing and Sustainable Communities Program, administered by the Strategic Growth Council, to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support other related and coordinated public policy objectives. Existing law requires the council to develop guidelines and selection criteria for the program. This bill would require the Strategic Growth Council to consider revisions to the guidelines and selection criteria with respect to affordable housing projects that qualify under the program's rural innovation project area, as specified, and to provide a written explanation to the Legislature by March 1, 2017, if the council determines that it will not make the revisions.

Staff Recommendation: Watch **League:** Watch **CSAC:** Watch **L&GO Position:**

AB 2200 (Tony Thurmond D) School Employee Housing Assistance Grant Program.

(Amended 4/14/2016.) Status: 5/18/2016-In committee: Set, first hearing. Referred to APPR. suspense file.

6/3/2016 Did not pass out of house of origin before Deadline

Summary: Existing law requires the California Housing Finance Agency to administer various housing programs. This bill would require the California Housing Finance Agency to administer a program to provide financing assistance, as specified, to a qualified school district, as defined, and to a qualified developer, as defined, for the creation of affordable rental housing for school employees, including teachers. The bill would require the State Department of Education to certify that a school district seeking a grant meets the definition of qualified school district. The bill would transfer \$100,000,000 from the General Fund to the School Employee Housing Assistance Fund.

Staff Recommendation: Support **League:** Watch **CSAC:** No Position **L&GO Position:**

AB 2356 (Jimmy Gomez D) Planning and Zoning: Housing Element: Extremely Low Income Housing.

(Amended: 5/2/2016) **Status:** 5/6/2016-Failed Deadline pursuant to Joint Rule 61(b)(6). (Last location was RLS.

Summary: The Planning and Zoning Law requires a city or county to adopt a general plan for land use development that includes, among other things, a housing element. That law requires the housing element to include an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. That law requires this assessment and inventory to include the identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit, as provided. This bill would authorize a city or county to additionally include in its assessment and inventory the identification of housing for extremely low income households, as defined. If a local government elects to include this identification in its assessment and inventory, the bill would impose certain requirements, including that the identified zone or zones include sufficient capacity to accommodate the need for housing for extremely low income households, that the local government demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of housing for extremely low income households, and that housing for extremely low income households generally be subject only to the development and management standards that apply to residential or commercial development within the same zone. The bill would also provide that the development of zones and objective management standards under these provisions would not be discretionary acts within the meaning of the California Environmental Quality Act.

Staff Recommendation: Watch

League: Watch

CSAC: Watch

L&GO Position:

AB 2413 (Tony Thurmond D) Sea Level Rise Preparation. (Introduced: 2/19/2016)

Status: 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5).

Location: 4/22/2016-A. DEAD

Summary: Existing law declares the intent of the Legislature to prioritize the state's response to the impacts resulting from climate change by ensuring all state departments and agencies prepare for and are ready to respond to the impacts of climate change, such as sea level rise. Existing law, by July 1, 2017, and every 3 years thereafter, requires the Natural Resources Agency to update the state's climate adaptation strategy, which includes vulnerabilities to climate change and priority actions needed to reduce the risk to climate change. Existing law, until January 1, 2018, also requires the agency to create, biannually update, and post on an Internet Web site a Planning for Sea Level Rise Database, as specified, and requires specified entities to provide to the agency certain sea level rise planning information for inclusion in the database. This bill would require the agency, on or before January 1, 2019, to complete a study outlining the potential impact of sea level rise on low-income and at-risk communities and public projects and infrastructure. The bill would require the agency, based on the study, to make recommendations on preparing for sea level rise, as specified.

Staff Recommendation: Watch

League: Watch

CSAC: Watch

L&GO Position:

AB 2500 (Tom Daly D) Land use. (Introduced: 2/19/2016)

4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was A. L. GOV. on 3/17/2016)

Location: 4/22/2016-A. DEAD

Summary: Existing law, the Planning and Zoning Law, requires a city or county to prepare and adopt a comprehensive, long-term general plan, and requires the general plan to include certain mandatory elements, including a housing element. That law requires the housing element, in turn, to include, among other things, an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of those needs. That law further requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region, as specified, at least two years prior to the scheduled revision of a housing element required by law. This bill would require the department to determine the regional housing need at least two years and three months prior to the scheduled revision of a housing element required by law. This bill contains other related provisions and other existing laws.

Staff Recommendation: Watch

League: Watch

CSAC: Support

L&GO Position:

AB 2734 (Toni Atkins D) Local Control Affordable Housing Act. (Amended: 4/5/2016)

Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/4/2016)

Summary: Existing law, effective February 1, 2012, dissolved all redevelopment agencies and community development agencies and provides for the designation of successor agencies, as specified. Existing law requires successor agencies to service the enforceable obligations of the dissolved agencies and otherwise wind down the affairs of the dissolved

agencies. This bill would establish the Local Control Affordable Housing Act to require the Department of Finance, on or before ____ and on or before the same date each year thereafter, to determine the state General Fund savings for the fiscal year as a result of the dissolution of redevelopment agencies. The bill would provide that, upon appropriation, 50% of that amount or \$1,000,000,000, whichever is less, be allocated to the Department of Housing and Community Development. The bill would require the department to retain 1/2 of these funds for state level programs and to provide the other 1/2 to local agencies for housing purposes, except as specified. The bill would require the Department of Housing and Community Development to create an equitable funding formula for funding distributed to local agencies, which the bill would require to be geographically balanced and take into account factors of need including, but not limited to, poverty rates and lack of supply of affordable housing for persons of low and moderate incomes in local jurisdictions. The bill would also specify the housing purposes for which those funds may be used.

Staff Recommendation: Support **League:** Support **CSAC:** Watch **L&GO Position:**

AB 2842 (Tony Thurmond) Workforce Housing Tax Credit Pilot: Property Taxes: Income Taxes: Insurance Taxes: Credits: Low-income Housing: Sale of Credit. (Amended: 4/12/2016) **Status:** 4/27/2016-In committee H. & C.D. Hearing canceled at the request of author.

6/3/2016 Did not pass out of house of origin before Deadline

Summary: Authorizes \$100 million in state workforce housing tax credits for qualified buildings that serve households between 60% and 80% of the area median income (AMI) in twelve counties with the highest fair market rents in the state as determined by the U.S. Department of Housing and Urban Development (HUD). Existing law establishes a low-income housing tax credit program pursuant to which the California Tax Credit Allocation Committee provides procedures and requirements for the allocation of state insurance, income, and corporation tax credit amounts among low-income housing projects in modified conformity to federal law that have been allocated, or qualify for, a federal low-income housing tax credit and for farmworker housing. This bill, beginning on or after January 1, 2017, would additionally allow a credit to a taxpayer with a qualified low-income building that is eligible for a federal low-income housing tax credit, in an amount equal to 20% of the projects unadjusted unallocated basis, not to exceed \$ 50,000 per unit, for housing projects that meet specified criteria. The bill would limit the aggregate amount of credits allocated by the California Tax Credit Allocation Committee, on a first-come-first-served basis, to \$100,000,000, and would provide for the one-time resale of that credit, as provided. This bill contains other related provisions and other existing laws.

Staff Recommendation: Support **League:** Watch **CSAC:** Watch **L&GO Position:**

ABX1 6 (Roger Hernández D) Affordable Housing and Sustainable Communities Program. (Introduced: 7/16/2015) **Status:** 7/17/2015-From printer. **6/3/2016 Did not pass out of house of origin before Deadline**

Summary: Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law continuously appropriates 20% of the annual proceeds of the fund to the Affordable Housing and Sustainable Communities Program, administered by the Strategic Growth Council, to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support other related and coordinated public policy objectives. This bill would require 20% of moneys available for allocation under the program to be allocated to eligible projects in rural areas, as defined. The bill would further require at least 50% of those moneys to be allocated to eligible affordable housing projects. The bill would require the council to amend its guidelines and selection criteria consistent with these requirements and to consult with interested stakeholders in this regard.

Staff Recommendation: Watch **League:** Watch **CSAC:** Watch **L&GO Position:**

ABX1 24 (Marc Levine and Philip Ting) Bay Area Transportation Commissioners

Status: 9/12/2015-From printer **6/3/2016 Did not pass out of house of origin before Deadline**

Summary: Existing law designates the Metropolitan Transportation Commission as the regional transportation planning agency for the San Francisco Bay area, with various powers and duties with respect to transportation planning and programming, as specified, in the 9-county San Francisco Bay area region. Existing law creates the Bay Area Toll Authority, governed by the same board as the commission, but created as a separate entity, with specified powers and duties relative to the administration of certain toll revenues from state-owned toll bridges within the geographic jurisdiction of the commission. Under existing law, the commission is comprised of 21 appointed members, as specified. This bill, effective January 1, 2017, would redesignate the Metropolitan Transportation Commission as the Bay Area Transportation Commission. The bill would require commissioners to be elected by districts comprised of approximately

750,000 residents. The bill would require each district to elect one commissioner, except that a district with a toll bridge, as defined, within the boundaries of the district would elect 2 commissioners. The bill would require commissioner elections to occur in 2016, with new commissioners to take office on January 1, 2017. The bill would state the intent of the Legislature for district boundaries to be drawn by a citizens' redistricting commission and campaigns for commissioners to be publicly financed. This bill contains other related provisions and other existing laws.

Staff Recommendation: Watch **League:** No Position **CSAC:** No Position **L&GO Position:** Oppose

SB 441 (Mark Leno D) San Francisco Redevelopment: Housing.

Gut and Amended 6/9/2016. Now California Public Records Act: exemptions.